

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

\_\_\_\_\_ ,

Plaintiff,

v.

Case No.: \_\_\_\_\_

\_\_\_\_\_ ,

Defendant.

**[PROPOSED] SCHEDULING ORDER**

Upon consent of the parties, it is hereby ORDERED as follows:

1. Date for completion of automatic disclosures required by Rule 26(a)(1) of the Federal Rules of Civil Procedure, if not yet made: \_\_\_\_\_.
2. No amendment of the pleadings will be permitted after: \_\_\_\_\_.
3. No additional parties may be joined after: \_\_\_\_\_.
4. Fact discovery shall be completed by: \_\_\_\_\_.  
(Generally, this date must be no later than 6 months after the Initial Conference.)
5. The parties shall make required Rule 26(a)(2) disclosures, if any, with respect to:
  - (a) expert witnesses on or before \_\_\_\_\_.
  - (b) rebuttal expert witnesses on or before \_\_\_\_\_.
6. All discovery, including depositions of experts, shall be completed by: \_\_\_\_\_.  
(Generally, this date must be no later than 9 months after the Initial Conference.)
7. Final date to take first step in dispositive motion practice, if any: \_\_\_\_\_.  
(Parties are directed to consult the District Judge's Individual Practices and Rules regarding such motion practice.)
8. Have the parties agreed to a plan regarding electronic discovery (yes/no)? \_\_\_\_\_.
9. Should the Court hold an early settlement conference (yes/no)? \_\_\_\_\_.

*(Prior to the Initial Conference, counsel shall discuss with their clients and their adversaries whether an early settlement conference, or other form of alternative dispute resolution, is appropriate and be prepared to explain their reasons to the Court.)*

10. Do the parties wish to be referred to the EDNY's Court-annexed mediation program pursuant to Local Civil Rule 83.8 (yes/no)? \_\_\_\_\_.

11. Do the parties consent to trial before a magistrate judge pursuant to 28 U.S.C. § 636(c) (yes/no)? \_\_\_\_\_.  
*(Answer no if any party declines to consent without indicating which party has declined.)*

If parties answer yes, then fill out the AO 85 (Rev. 02/17) Notice, Consent, and Reference of a Civil Action to a Magistrate Judge form. The form can be accessed at the following link: <https://www.uscourts.gov/sites/default/files/ao085.pdf>. Consenting does not affect a party's right to a jury trial.

12. Other matters:

This Scheduling Order may be altered or amended upon a showing of good cause not foreseeable at the date hereof.

CONSENTED TO BY:

*Attorney for Plaintiff*

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*Attorney for Defendant*

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SO ORDERED:

\_\_\_\_\_  
JAMES R. CHO  
United States Magistrate Judge

\_\_\_\_\_  
Date